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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/016,790

Applicant(s)

HOUGH ET AL.

Examiner

Benjamin R. Bruckart

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Detailed Action

Claims 1-27 are pending in this Office Action.

Claims 1, 3, 7, 12, 21, 26 and 27 are amended.

Response to Arguments

Applicant's arguments filed in the amendment filed 2/22/07 have been fully considered but are moot in view of new grounds of rejection. The reasons are set forth below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable by "Slennox's eggdrop page"; April 11, 2001 (herein after "Slennox") [all the links are incorporated by reference] in view of U.S. "BotnetCentral – Your source for Eggdrop related Stuff"; May 24, 2000 (herein after "BotnetCentral") [all links incorporated by reference].

Regarding claim 1,

The Slennox reference teaches at a computer system configured to manage an online chat session between a plurality of members of a group of chat participants (Slennox: whatis page; software resource in an IRC channel), the group including a plurality of computer users, a computer-implemented method for including a software resource as a member of the group of

chat participants within the online chat session conducted through a messaging service (Slennox: whatis looks like a user on a channel), comprising the steps of:

(a) registering the software resource to indicate that it is available to participate in an online chat session, when said software resource is executed (Slennox: commands; +channel is a command so the bot will join a channel);

(b) including the software resource, along with the plurality of computer users, as members in a group of online chat participants (Slennox: using your eggdrop; in channel);

(e) the software resource parsing the plain language message (Slennox: command reference and format);

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7)

The BotnetCentral reference teaches

each member in the group of chat participants, including the software resource, capable of sending a plain language message to all the other members in the group of chat participants, including the software resource (BotnetCentral: trigger page; category);

(c) receiving from a member of the group of chat participants a submission of a plain language message (BotnetCentral: !trigger, !rules);

(d) transmitting the plain language message to each member of the group of online chat participants, including the software resource (BotnetCentral: trigger page; send a public message);

(f) the software resource determining a plain language response to the message (BotnetCentral: trigger or category page); and

(g) the software resource transmitting the plain language response back to all of the members of the group of chat participants, including the member that submitted the plain language message and including at least one other member that did not submit the plain language message, thus enabling each member of the group of the group of chat participants to equally interact with the software resource as another participant in the online chat session, by responding to the plain language message (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

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It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

Regarding claim 2, the method of claim 1, further comprising the step of enabling the user to selectively direct the message to the software resource (Slennox; using the eggdrop: dcc session).

Regarding claim 3, the Slennox reference teaches the method of claim 1.

The Slennox reference does not explicitly state a computer user answers a query.

However, the Slennox reference teaches the context in which a query is asked, a chat channel with other users (Slennox; using page), it would have been obvious at the time of the invention to one of ordinary skill in the art for wherein one or more of the plurality of computer users answers the plain language message sent to the software resource (BotnetCentral: trigger, !trigger shows the bot can respond by providing the rules in response to the trigger. It is an inherent feature any person in the channel can do this) in order to answer the answers question.

Regarding claim 7, the Slennox reference teaches the method of claim 3, wherein the user that submitted the message receives multiple responses to the message including responses from the software resource and one or more of the plurality of computer users (inherent that a public chat message can be seen and responded to by both users and bots [BotnetCentral: Multiple bots can each send in response to a trigger]).

Regarding claim 4, the method of claim 1, wherein, if the software resource is unable to determine a plain language response to the plain language message, the response is one of a nil response and an indication that a response cannot be provided (Slennox: faq: invalid command name).

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Regarding claim 5, the method of claim 1, further comprising the step of providing a graphic indication that the software resource is online and available to participate in the online chat session as a participant (Slennox; user on the channel).

Regarding claim 6, the method of claim 1, wherein the plain language message comprises a query, and the plain language response comprises data responsive to the query (Slennox: shows response; announcements).

Regarding claim 8, the method of claim 1, wherein the step of registering comprises the step of registering with a messaging service server through which the messaging service is implemented for all participants in the online chat session, including the software resource (Slennox: setup; set servers for IRC logon).

Regarding claim 9, the method of claim 1, wherein the step of determining the plain language response includes the step of employing the software resource to search through data accessible by the software resource to find data provided in the plain language response (Slennox: commands: loads from settings stored on the bot).

Regarding claim 10, a machine readable medium having processor-executable machine instructions for performing steps (b)-(d) as recited in claim 1 (Slennox: command reference and whatis).

Regarding claim 11, a machine readable medium having processor-executable machine instructions for performing steps (a) and (e)-(g) as recited in claim 1 (Slennox: command reference and whatif).

Regarding claim 12, a method for accessing information available through a software resource during a messaging service session (Slennox: whatis page; software resource in an IRC channel), comprising the steps of:

(a) indicating in a group of online chat participants in the messaging service session, the group including as members in the group a plurality of users and a software resource, at least one of the plurality of users of the messaging service session and a software resource being included a participant in the messaging service session (Slennox: whatis; IRC bot program; looks like a user on a channel);

(b) enabling any of the plurality of users to enter a plain language query in the messaging service session (Slennox: commands to the bot);

(d) the software resource parsing the plain language query (Slennox: command reference and format);

(e) the software resource automatically determining information responsive to the plain language query, (Slennox: command reference; bans show you all the bans active on the channel); and

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7).

However, the BotnetCentral reference teaches

(c) transmitting the plain language query to each member of the group of online chat participants, including the software resource (BotnetCentral: trigger page; category);

(f) transmitting the information responsive to the plain language query back to all of the members of the group of chat participants, including the member that submitted the plain language message and including at least one other member that did not submit the plain language message (BotnetCentral: trigger page; category), thus enabling each member of the group of chat participants to equally access information through the software, wherein the software resource acts as a participant in the messaging service session by responding to the plain language query entered by any of the plurality of the users (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

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Regarding claim 13, the method of claim 12, wherein the software resource and all other participants in the messaging service session are coupled in communication over a network (Slennox: all in the same channel; commands).

Regarding claim 14, the method of claim 12, further comprising the step of enabling the user to selectively add the software resource to the messaging service session from a list of prospective participants (Slennox: command reference +channel; dcc to bot from channel).

Regarding claim 15, the method of claim 12, further comprising the step of enabling the user to selectively direct the plain language query to the software resource (Slennox; using the eggdrop: dcc session).

Regarding claim 16, the method of claim 12, wherein the software resource comprises a data manager program that accesses a store of data to find the information responsive to the plain language query transmitted from the user (Slennox: commands: loads from settings stored on the bot).

Regarding claim 17, the method of claim 12, further comprising the step of transmitting an indication from the software resource to the user that information responsive to the plain language query could not be provided (Slennox: faq: invalid command name).

Regarding claim 18, the method of claim 12, further comprising the step of providing an indication to a user when the software resource is unavailable to participate in a messaging service session (Slennox: faq, hostname self-lookup failed).

Regarding claim 19, the method of claim 12, wherein the information provided by the software resource includes a network address at which data responsive to the query are located (Slennox: commands, hostmask).

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Regarding claim 20, the method of claim 12, wherein a plurality of software resources are included in a list of prospective participants in the messaging service session (Slennox: users on the channel).

Regarding claim 21, a system for enabling a software resource to respond as a conventional participant in a messaging service session implemented over a network (Slennox: whatis, commands), comprising:

(a) a messaging service server coupled to the network and programmed for implementing registration of prospective instant message participants available to be added to a messaging service session as participants (IRC, channel joining, server setups);

(b) a user computing device coupled to the network and including a processor (Slennox: whatis) programmed to:

(i) execute a messaging service session in which members of a group of online chat participants including a plurality of users are participating (Slennox: whatis);

(ii) add a software resource as a member of the group of online chat participants in the messaging service session (Slennox: commands; invite); and

(c) a software resource computing device coupled to the network and programmed (Slennox: whatis) to:

(i) execute the software resource (Slennox: whatis; setup and using);

(ii) register the software resource with the messaging service server when the software resource is available to participate in a messaging service session (Slennox: whatis; setup, server; join chanel);

(iii) parse a plain language query received from one of the plurality of the users during the messaging service session (Slennox: command reference and format);

(iv) access data with the software resource to find information responsive to the plain language query (Slennox: commands: loads from settings stored on the bot); and

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7)

The BotnetCentral reference teaches

(iii) enable any of the plurality of users to enter a plain language query for information to be obtained from the software resource within the messaging service session (BotnetCentral: trigger page; category); and

(iv) transmit said information to all of the members of the group of chat participants, including the user computing device that submitted the plain language message over the network, thus enabling each member of the group of chat participants to equally interact with the software resource as another participant in the online chat session, by enabling the software resource to respond to the plain language query (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

Regarding claim 22, the system of claim 21, wherein the software resource computing device includes a data store from which the information is derived to respond to the plain language query received during the messaging service session (Slennox: commands: loads from settings stored on the bot).

Regarding claim 23, the system of claim 21, wherein the user computing device includes a user interface that enables a user to enter the plain language query into the messaging service session (Slennox: commands to the bot).

Regarding claim 24, the system of claim 21, wherein the user computing device includes a display on which the messaging service session is viewed, an image viewable during said messaging service session including an indication of whether the software resource is available to participate in the messaging service session (Slennox; user on the channel).

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Regarding claim 25, the system of claim 21, wherein the user computer device is programmed to enable a user to selectively add the software resource as a participant in the messaging service session (Slennox: command reference +channel).

Regarding claim 26, apparatus that includes a software resource as a member of a group of chat participants within an online chat session conducted through a messaging service (Slennox: whatis, commands), comprising:

- (a) a network interface that connects to a network over which the messaging service session is communicated (Slennox: commands; IRC, channel joining, server setups);
- (b) a display (Slennox: whatis; computer program; display is inherent part of computer);
- (c) a user input device (Slennox: whatis; computer program; input is inherent part of computer; commands input);
- (d) a memory in which a plurality of machine instructions are stored (Slennox: setup, commands; storing); and
- (e) a processor coupled to the network interface, the display, the user input device, and the memory, said processor executing the machine instructions, causing the processor to carry out a plurality of functions (Slennox: whatis; inherent embodiment of a software resource), including:

- (i) registering the software resource to indicate that it is available to participate in an online chat session, when said software resource is executed (Slennox: using +channel, invite);

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7)

The BotnetCentral reference teaches

- (ii) including the software resource, along with the plurality of computer users, as members in a group of online chat participants, each member in the group of chat participants, including the software resource, capable of sending a plain language message to all the other members in the group of chat participants, including the software resource (BotnetCentral: trigger page; category);

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- (iii) receiving from a member of the group of chat participants a submission of a plain language message (BotnetCentral: trigger page; category);
- (iv) transmitting the plain language query over the network to each member of the group of online chat participants in the online chat session including the software resource (BotnetCentral: trigger page; category); and
- (v) all of the members of the group of chat participants, including the member that submitted the plain language message and including at least one other member that did not submit the plain language message receiving a response over the network from the software resource responding to the plain language query as a participant (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

Regarding claim 27, apparatus that enables a software resource to interact as a participant during a messaging service session (Slennox: whatis, commands), comprising:

(a) a network interface that connects to a network over which the messaging service session is communicated (IRC, channel joining, server setups);

(b) a memory in which a plurality of machine instructions are stored (Slennox: setup, commands; storing); and

(c) a processor coupled to the network interface, and the memory, said processor executing the machine instructions, causing the processor to carry out a plurality of functions (Slennox: whatis; computer program; processor is an inherent part of computer), including:

- (i) registering the software resource with a messaging service as being available to participate in a messaging service session as a member of a group of online chat participants, the group including as members of the group a plurality of users and the software resource (Slennox: command reference +channel);

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(iii) finding data responsive to the plain language query (Slennox: commands);
and

The Slennox reference fails to state public commands examples but teaches TCL scripts that allow extra features (Slennox: using.shtml; Public commands, page 2 of 7)

The BotnetCentral reference teaches

(ii) parsing a plain language query received from any of the plurality of a users during a messaging service session in which the software resource has been added as a participant by one or more of the plurality of users, the software resource being enabled to receive and parse the plain language query (BotnetCentral: trigger page; category);

(iv) transmitting the data over the network to all of the members of the group of chat participants, including the member that submitted the plain language message and including at least one other member that did not submit the plain language message, thus enabling each member of the group of chat participants to equally access information through the software resource (BotnetCentral: trigger page, category page) in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the bot as taught by Slennox to include public interactivity and announcing as taught by BotnetCentral in order to allow public users to interact with the bot (BotnetCentral: trigger, main page).

PRIOR ART

Non-patent literature (NPL) using "The Internet Archive" September 2001, www.ruptbot.com all links incorporated by reference.

NPL using "The Internet Archive" August 2001, www.newjersey.f2s.com/nodbot all links incorporated by reference.

REMARKS

Applicant has made amendments to the independent claims and some dependent claims off of claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER